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*Attorneys for The Kiyo Bank, Ltd*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS, INC., et al.	:	Case No. 08-13555(JMP)
	:	
Debtors	:	Jointly Administered

**NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF  
PAPERS AND RESERVATION OF RIGHTS**

PLEASE TAKE NOTICE that the undersigned appears as counsel for The Kiyo Bank, Ltd. (“Kiyo”), a party-in-interest in the above referenced case, and pursuant to *inter alia*, Rules 2002, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and § 1109(b) of the Bankruptcy Code, requests that the following names be added to any service list in this case and that all notices given or required to be given in this case and all papers served or required to be served in this case, be given to and served upon:

Allan D. Diamond, Esq.  
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PLEASE TAKE FURTHER NOTICE that, pursuant to 11 U.S.C. § 1109(b), this request includes not only notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, courier service, hand-delivery, telephone, facsimile transmission, telegraph, telex, email or otherwise: (1) that affects or seeks to affect in any way any rights or interest of any party-in-interest in this case, including Kiyo, with respect to (a) Lehman Brothers Holdings Inc. (the “Debtor”), (b) property of the estate, or proceeds thereof, in which the Debtor may claim an interest, or (c) property or proceeds thereof in the possession, custody, or control of others that the Debtor may seek to use; or (2) that requires or seeks to require any act, delivery of any property, payment or other conduct by Kiyo.

PLEASE TAKE FURTHER NOTICE that this Notice of Appearance is not intended to be, and shall not constitute, a waiver of strict service in connection with any adversary proceeding related to these bankruptcy cases, and shall not constitute a waiver by Kiyo of its (1) right to have final orders in non-core matters entered only after *de novo* review by the United States District Court; (2) right to trial by jury in any proceeding so triable in this case or any case, controversy, or proceeding related to this case, (3) right to have the United States District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (4) any other rights, claims, actions, defenses, setoffs, or recoupments to which it is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved.

Dated: Houston, Texas  
December 1, 2008

By: /s/ Stephen T. Loden  
Allan B. Diamond, Esq.  
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